

NO. 4

JOURNAL
of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

WEDNESDAY, JANUARY 14, 2009
(STATEWIDE SESSION)

Wednesday, January 14, 2009
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The House assembled at 2:00 p.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 96:1: "O sing to the Lord a new song, sing to the Lord, all the earth."

Let us pray. O Lord God, come to us and put into our lives a new song that this House may sing as we come together to serve the people of this great State and do whatever we can to improve the life of for whom we are responsible. Give these men and women courage, wisdom, integrity and strength to do their duty. Bless our Nation, President, State, Governor, Speaker, and all those who serve in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us as we pray, O Lord. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. ANTHONY moved that when the House adjourns, it adjourn in memory of Representative Olin Phillips of Gaffney, which was agreed to.

RESIGNATION

The following was received:

December 3, 2008
The Honorable Robert W. Harrell, Jr.
Speaker
South Carolina House of Representatives
P.O. Box 11867
Columbia SC 29211

WEDNESDAY, JANUARY 14, 2009

Dear Speaker Harrell:

Effective immediately, I hereby resign my position on the House Ethics Committee, due to my election as Chairman of the Labor, Commerce and Industry Committee.

Sincerely,
Bill Sandifer

Received as information.

COMMUNICATION -- ELECTION APPEAL WITHDRAWAL

The following was received:

January 13, 2009

Hand Delivered

Charles F. Reid

Clerk of the SC House of Representatives

213 Blatt Building

Columbia, SC 29201

Re: Wallace Scarborough, Candidate for the SC House of Representatives District 115 v. Charleston County Board of Elections and Voter Registration (a/k/a Charleston County Board of Canvassers) and Anne Peterson-Hutto, Democratic Party Candidate for SC House of Representatives District 115

In Re South Carolina House of Representatives District 115
Election Held on November 4, 2008

Dear Mr. Reid:

Enclosed please find the withdrawal of our appeal in the captioned matter. We would appreciate your filing the original and returning a file stamped copy to us via our courier.

By copy of this letter, we are hereby serving a copy of this pleading on counsel for the Respondent.

Very truly yours,
Karl S. Bowers, Jr.

[HJ]

WEDNESDAY, JANUARY 14, 2009

THE STATE OF SOUTH CAROLINA
BEFORE THE SOUTH CAROLINA HOUSE OF
REPRESENTATIVES

APPEAL FROM A DECISION OF THE
SOUTH CAROLINA STATE ELECTION COMMISSION

IN RE: SOUTH CAROLINA HOUSE OF REPRESENTATIVES
DISTRICT 115
ELECTION HELD ON NOVEMBER 4, 2008

Wallace Scarborough, Candidate for S.C. House
of Representatives District 115
v. Appellant,

Charleston County Board of Elections and Voter
Registration (a/k/a Charleston County Board of
Canvassers) and Anne Peterson-Hutto, Democratic
Party Candidate for S.C. House of Representatives
District 115, Respondents

WITHDRAWAL OF APPEAL

NELSON MULLINS RILEY &
SCARBOROUGH LLP

Karl S. Bowers, Jr. (S.C. Bar No. 16141)
E-Mail: butch.bowers@nelsonmullins.com
M. Todd Carroll (S.C. Bar No. 74000)
E-Mail: todd.carroll@nelsonmullins.com
1320 Main Street / 17th Floor
Post Office Box 11070 (29211-1070)
Columbia, SC 29201
(803) 799-2000

Attorneys for Appellant Wallace Scarborough, Candidate for
S.C. House of Representatives District 115

WEDNESDAY, JANUARY 14, 2009

CERTIFICATE OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellant Wallace Scarborough do hereby certify that I have served all parties with three copies of the pleading(s) hereinbelow specified by hand delivering or mailing a copy of the same, via U.S. Mail, postage prepaid, to the following address(es):

Pleading: WITHDRAWAL OF APPEAL
In re: HOUSE OF REPRESENTATIVES
DISTRICT 115 GENERAL ELECTION PROTEST

Parties: Matthew T. Richardson (hand delivery)
Wyche Burgess Freeman & Parham, PA
1122 Lady Street
Columbia, SC 29201

The Nettles Law Office, LLC
F. Truett Nettles, II (U.S. Mail)
67 Broad Street, 2nd Floor
Charleston, SC 29401

/s/Deborah L. Johnson
January 13, 2009

Received as information.

INVITATIONS

On motion of Rep. KIRSH, with unanimous consent, the following were taken up for immediate consideration and accepted:

January 13, 2009,
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Bankers Association, the members of the House of Representatives are invited to its Annual Legislative

WEDNESDAY, JANUARY 14, 2009

Reception. This event will be held on Tuesday, January 13, 2009, at 6:00 p.m. at the Marriott Hotel.

Sincerely,
E. Anne Gillespie
Senior Vice President

January 13, 2009,
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the American Cancer Society, the members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, January 14, 2009, at 8:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Stephanie Reely
Office Coordinator

January 13, 2009,
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the National Federation of the Blind of South Carolina, the members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, January 14, 2009, at 12:00 p.m. in Room 112 of the Blatt Building.

Sincerely,
Donald C. Capps
President Emeritus

January 13, 2009,
The Honorable Herb Kirsh

[HJ]

WEDNESDAY, JANUARY 14, 2009

Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Chamber of Commerce, the members of the House of Representatives are invited to the annual "Business Speaks at the State House" Legislative Reception. This event will be held on Wednesday, January 14, 2009, at 6:00 p.m. at the Marriott Hotel.

Sincerely,
S. Hunter Howard, Jr.
President and Chief Executive Officer

January 13, 2009,
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Lexington County Young Republicans, the members and staff of the House of Representatives are invited to a Legislative Reception prior to the State of the State Address. This event will be held on Wednesday, January 14, 2009, at 6:00 p.m. at The Whig.

Sincerely,
Liana Orr
Lexington County Young Republicans

January 13, 2009,
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Speech, Language and Hearing Association, the members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, January 15, 2009, at 8:00 a.m. in Room 112 of the Blatt Building.

[HJ]

WEDNESDAY, JANUARY 14, 2009

Sincerely,
Leigh Ann Spell
President, SCSHA

January 13, 2009,
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Association of Technical College Commissioners, the members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, January 27, 2009, at 6:00 p.m. at the Capital City Club.

Sincerely,
David Condon
Executive Director

January 13, 2009,
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Economic Developers' Association, the members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, January 27, 2009, at 7:00 p.m. at the Palmetto Club.

Sincerely,
Keely Fagen Yates
Association Executive

January 13, 2009,
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

[HJ]

WEDNESDAY, JANUARY 14, 2009

Dear Chairman Kirsh:

On behalf of the South Carolina Association of Nurse Anesthetists, the members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, January 28, 2009, at 8:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Fran Zinko
President

January 13, 2009,
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Baptist Convention, the members of the House of Representatives are invited to our Annual Legislative Luncheon. This event will be held on Wednesday, January 28, 2009, at 12:00 p.m. on the State House Grounds.

Sincerely,
Joseph A. Mack, Director
Office of Public Policy

January 13, 2009,
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Clarion Hotel Downtown Columbia, the members and staff of the House of Representatives are invited to our Annual Oyster Roast and Frogmore Stew Reception. This event will be held on Wednesday, January 28, 2009, at 6:00 p.m. at the Clarion Hotel.

Sincerely,
Bill Ellen
General Manager

[HJ]

WEDNESDAY, JANUARY 14, 2009

January 13, 2009,
The Honorable Herb Kirsh
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of South Carolina Association of Christian School for Excellence, Inc., the members of the House of Representatives are invited to our Annual Columbia Conference and Legislators' Breakfast. This event will be held on Thursday, January 29, 2009, at 8:00 a.m. in Room 112 of the Blatt Building.

Sincerely,
Edward Earwod
Executive Director

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 3222
Agency: Public Service Commission
Statutory Authority: 1976 Code Section 58-3-140
Interruption of Service, Computation of Time, Emergency Procedures,
and Service Between Parties of Record
Received by Speaker of the House of Representatives
January 13, 2009
Referred to Labor, Commerce and Industry Committee
Legislative Review Expiration May 13, 2009

COMMITTEE OFFICERS

The following was received:

January 14, 2009
The Honorable Charles F. Reid
Clerk of the House & Director of Personnel
South Carolina House of Representatives
P.O. Box 11867
Columbia SC 29211

[HJ]

WEDNESDAY, JANUARY 14, 2009

Dear Mr. Reid:

On Tuesday, January 13, 2009, the House Invitations and Memorial Resolutions Committee met immediately upon adjournment of the House and elected the following officers:

Herb Kirsh, Chairman
Liston D. Barfield, Vice Chairman

If you have any questions or need any further information, please call me at 734-3107.

Sincerely,
Whitney K. Williams

Received as information.

REPORT OF STANDING COMMITTEE

Rep. KIRSH, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3162 -- Reps. Delleney, Clemmons and Mack: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 11, 2009, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUDGE OF THE COURT OF APPEALS, SEAT 5, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT

[HJ]

WEDNESDAY, JANUARY 14, 2009

FOR THE FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 5, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 6, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 7, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 9, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 10, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE TENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 4, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE

WEDNESDAY, JANUARY 14, 2009

30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 3256 -- Rep. M. A. Pitts: A HOUSE RESOLUTION TO EXPRESS THE GRATEFUL THANKS OF THE PEOPLE OF THE STATE OF SOUTH CAROLINA TO MR. HAROLD EARL PEARSON, JR., OF LAURENS FOR HIS SERVICE IN THE MERCHANT MARINE DURING THE SECOND WORLD WAR, AND TO ACKNOWLEDGE HIM PUBLICLY AS AN AMERICAN HERO.

The Resolution was adopted.

HOUSE RESOLUTION

On motion of Rep. G. R. SMITH, with unanimous consent, the following was taken up for immediate consideration:

H. 3257 -- Rep. G. R. Smith: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR TO THE COACHES AND PLAYERS OF THE SIMPSONVILLE STARS SOFTBALL TEAM OF GREENVILLE COUNTY, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM FOR WINNING THE 2008 LITTLE LEAGUE SOFTBALL WORLD SERIES TITLE.

That the members of the House of Representatives of the State of South Carolina, by this resolution, extend the privilege of the floor to the coaches and players of the Simpsonville Stars softball team of Greenville County, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them for winning the 2008 Little League Softball World Series title.

The Resolution was adopted.

WEDNESDAY, JANUARY 14, 2009

CONCURRENT RESOLUTION

The following was introduced:

H. 3258 -- Rep. Bales: A CONCURRENT RESOLUTION TO COMMEND KEVIN WYTHE SMITH, BUILDING CONSTRUCTION TEACHER AT SAMUEL A. HEYWARD CAREER & TECHNOLOGY CENTER IN RICHLAND COUNTY SCHOOL DISTRICT ONE, FOR HIS COMMITMENT TO PROVIDING QUALITY EDUCATION FOR THE CHILDREN OF SOUTH CAROLINA, AND TO CONGRATULATE HIM UPON ACHIEVING NATIONAL BOARD TEACHER CERTIFICATION IN NOVEMBER 2008.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

CONCURRENT RESOLUTION

The following was introduced:

H. 3259 -- Rep. Bales: A CONCURRENT RESOLUTION TO COMMEND G. CLEVE PILOT, DEAN OF STUDENTS AT SAMUEL A. HEYWARD CAREER & TECHNOLOGY CENTER IN RICHLAND COUNTY SCHOOL DISTRICT ONE, FOR HIS COMMITMENT TO PROVIDING QUALITY EDUCATION FOR THE CHILDREN OF SOUTH CAROLINA, AND TO CONGRATULATE HIM UPON ACHIEVING NATIONAL BOARD TEACHER CERTIFICATION IN NOVEMBER 2008.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

CONCURRENT RESOLUTION

The following was introduced:

H. 3260 -- Rep. Bales: A CONCURRENT RESOLUTION TO COMMEND NAYLENE REDMOND RICHARDSON, BUSINESS AND TECHNOLOGY EDUCATION TEACHER AT C. A. JOHNSON PREPARATORY ACADEMY IN RICHLAND COUNTY SCHOOL DISTRICT ONE, FOR HER COMMITMENT TO PROVIDING QUALITY EDUCATION FOR THE CHILDREN OF SOUTH CAROLINA, AND TO CONGRATULATE HER UPON

WEDNESDAY, JANUARY 14, 2009

ACHIEVING NATIONAL BOARD TEACHER CERTIFICATION IN NOVEMBER 2008.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

CONCURRENT RESOLUTION

The following was introduced:

H. 3261 -- Rep. Bales: A CONCURRENT RESOLUTION TO COMMEND TWANDA DENISE ADDISON, HEALTH SCIENCE TECHNOLOGY TEACHER AT LOWER RICHLAND HIGH SCHOOL IN RICHLAND COUNTY SCHOOL DISTRICT ONE, FOR HER COMMITMENT TO PROVIDING QUALITY EDUCATION FOR THE CHILDREN OF SOUTH CAROLINA, AND TO CONGRATULATE HER UPON ACHIEVING NATIONAL BOARD TEACHER CERTIFICATION IN NOVEMBER 2008.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

CONCURRENT RESOLUTION

The following was introduced:

H. 3262 -- Rep. Bales: A CONCURRENT RESOLUTION TO COMMEND MONICA CANDACE ADAMS, HEALTH SCIENCE TEACHER AT SAMUEL A. HEYWARD CAREER & TECHNOLOGY CENTER IN RICHLAND COUNTY SCHOOL DISTRICT ONE, FOR HER COMMITMENT TO PROVIDING QUALITY EDUCATION FOR THE CHILDREN OF SOUTH CAROLINA, AND TO CONGRATULATE HER UPON ACHIEVING NATIONAL BOARD TEACHER CERTIFICATION IN NOVEMBER 2008.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

WEDNESDAY, JANUARY 14, 2009

CONCURRENT RESOLUTION

The following was introduced:

H. 3263 -- Rep. Bales: A CONCURRENT RESOLUTION TO COMMEND JACKIE M. MEGGIE, BUSINESS EDUCATION TEACHER AT COLUMBIA HIGH SCHOOL IN RICHLAND COUNTY SCHOOL DISTRICT ONE, FOR HER COMMITMENT TO PROVIDING QUALITY EDUCATION FOR THE CHILDREN OF SOUTH CAROLINA, AND TO CONGRATULATE HER UPON ACHIEVING NATIONAL BOARD TEACHER CERTIFICATION IN NOVEMBER 2008.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were introduced, read the first time, and referred to appropriate committees:

H. 3264 -- Rep. Gullick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT "KELLI'S LAW", BY ADDING SECTION 23-6-115 SO AS TO PROVIDE THAT EACH HIGHWAY PATROL VEHICLE MUST BE EQUIPPED WITH A FIELD BREATHALYZER DEVICE THAT MUST BE ADMINISTERED ON A PERSON SUSPECTED OF DRIVING UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR ANOTHER SUBSTANCE.

Referred to Committee on Judiciary

H. 3265 -- Reps. Sottile, Bowen, Erickson, Limehouse, Stringer and Wylie: A BILL TO AMEND SECTION 47-1-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ILL-TREATMENT OF ANIMALS, TO CLARIFY THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO THE PRACTICE OF VETERINARY MEDICINE IN ACCORDANCE WITH ACCEPTED VETERINARY STANDARDS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3266 -- Reps. R. L. Brown, Whipper, Clyburn, Gilliard, Jefferson and Mack: A BILL TO AMEND THE CODE OF LAWS OF SOUTH

WEDNESDAY, JANUARY 14, 2009

CAROLINA, 1976, BY ADDING SECTION 59-150-395 SO AS TO PROVIDE FOR ADDITIONAL FUNDING FOR PUBLIC K-12 SCHOOLS FROM PROCEEDS OF A DESIGNATED LOTTERY GAME AND TO NAME THE GAME "THE K-12 GAME".

Referred to Committee on Ways and Means

H. 3267 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO OPERATION OF PUBLIC PUPIL TRANSPORTATION SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 3209, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3268 -- Rep. Cooper: A BILL TO AMEND SECTION 12-28-2920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONSTRUCTION OF TOLL ROADS, SO AS TO REVISE THE METHOD OF DISBURSAL OF FUNDS DERIVED FROM TOLLS, TO PROVIDE FOR THE DISBURSAL OF FUNDS DERIVED FROM QUALIFIED TOLL PROJECTS, TO PROVIDE WHEN TOLLS COLLECTED FROM QUALIFIED TOLL PROJECTS SHALL CEASE, AND TO DEFINE THE TERM "QUALIFIED TOLL PROJECT"; AND TO AMEND SECTION 57-3-200, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S AUTHORITY TO ENTER INTO AGREEMENTS TO FINANCE, CONSTRUCT, AND MAINTAIN HIGHWAYS, ROADS, STREETS, AND BRIDGES, SO AS TO PROVIDE GUIDELINES FOR THE DEPARTMENT'S EXPENDITURE OF FUNDS ON QUALIFIED TOLL PROJECTS AND THE SETTING OF TOLLS ALONG TRANSPORTATION FACILITIES.

Referred to Committee on Ways and Means

H. 3269 -- Rep. Cooper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-1341 SO AS TO PROHIBIT A CANDIDATE FOR AN OFFICE ELECTED OR APPOINTED BY THE GENERAL ASSEMBLY, OR A HOUSE OF IT, FROM MAKING A CONTRIBUTION TO A MEMBER OF THE GENERAL ASSEMBLY, A MEMBER OF THE

WEDNESDAY, JANUARY 14, 2009

CANDIDATE'S IMMEDIATE FAMILY, A BUSINESS, OR INDIVIDUAL WITH WHOM HE IS ASSOCIATED.

Referred to Committee on Judiciary

H. 3270 -- Rep. Duncan: A BILL TO AMEND SECTION 44-2-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION OF UNDERGROUND STORAGE TANKS, SO AS TO ESTABLISH NEW ANNUAL RENEWAL FEES AND TO REQUIRE THAT THE ADDITIONAL REVENUE GENERATED FROM THE TANK FEE INCREASES BE DEPOSITED INTO THE SUPERB ACCOUNT.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3271 -- Reps. Duncan, McLeod, Bedingfield, Gambrell, Kelly and Toole: A BILL TO AMEND SECTION 50-11-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPEN SEASON FOR ANTLERED DEER, SO AS TO PROVIDE THAT BAITING DEER OR HUNTING DEER OVER A BAITED AREA IS LAWFUL AND TO DEFINE THE TERM "BAIT" OR "BAITING".

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3272 -- Reps. Cooper and Merrill: A BILL TO AMEND SECTION 12-37-3140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DETERMINING THE FAIR MARKET VALUE OF REAL PROPERTY FOR PURPOSES OF THE SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT, SO AS TO POSTPONE THE IMPLEMENTATION OF THE TRANSFER VALUE OF A PARCEL OF REAL PROPERTY UNIMPROVED SINCE THE LAST COUNTYWIDE REASSESSMENT PROGRAM UNTIL THE TIME OF IMPLEMENTATION OF THE NEXT COUNTYWIDE REASSESSMENT PROGRAM AND TO REQUIRE THE FIFTEEN PERCENT LIMIT ON INCREASES IN VALUE TO BE CALCULATED SEPARATELY ON LAND AND IMPROVEMENTS; TO AMEND SECTION 12-37-3150, AS AMENDED, RELATING TO THE TIME AN ASSESSABLE TRANSFER OF INTEREST OCCURS, SO AS TO REVISE THE PENALTY FOR FAILURE TO PROVIDE NOTICE OR FAILURE

WEDNESDAY, JANUARY 14, 2009

TO PROVIDE ACCURATE NOTICE TO THE ASSESSING AUTHORITY OF BUSINESS ENTITY TRANSFERS; TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO THE CLASSIFICATION AND VALUATION OF PROPERTY FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE RESIDENTIAL REAL PROPERTY HELD IN TRUST DOES NOT QUALIFY AS A LEGAL RESIDENCE UNLESS A NAMED INDIVIDUAL BENEFICIARY UNDER THE TRUST OCCUPIES THE RESIDENCE AS THAT NAMED BENEFICIARY'S LEGAL RESIDENCE AND THAT INDIVIDUAL BENEFICIARY'S NAME APPEARS ON THE DEED TO THE RESIDENCE AND REQUIRE SOCIAL SECURITY NUMBERS OF APPLICANTS FOR THE LEGAL RESIDENCE ASSESSMENT RATIO; AND TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR ASSESSORS, SO AS TO REVISE THE REQUIREMENT.

Referred to Committee on Ways and Means

H. 3275 -- Reps. T. R. Young, Allison, Parker, D. C. Smith, G. R. Smith, J. R. Smith and Stewart: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO, THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE ADJUTANT GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE ADJUTANT GENERAL MAY BE REMOVED FROM OFFICE; AND PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE XIII, RELATING TO THE ADJUTANT GENERAL AND HIS STAFF OFFICERS, SO AS TO UPDATE REFERENCES TO HIS TITLE AND MILITARY RANK, AND TO PROVIDE THAT UPON THE EXPIRATION OF

WEDNESDAY, JANUARY 14, 2009

THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, HE MUST BE APPOINTED BY THE GOVERNOR IN THE MANNER REQUIRED BY SECTION 7, ARTICLE VI.

Referred to Committee on Judiciary

H. 3276 -- Reps. T. R. Young, Allison, Parker, D. C. Smith, G. R. Smith and J. R. Smith: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMMISSIONER OF AGRICULTURE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMMISSIONER OF AGRICULTURE MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMMISSIONER OF AGRICULTURE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE COMMISSIONER OF AGRICULTURE MAY BE REMOVED FROM OFFICE.

Referred to Committee on Judiciary

H. 3277 -- Reps. T. R. Young, Allison, Parker, D. C. Smith, G. R. Smith, J. R. Smith and Stewart: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE STATE TREASURER FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT UPON THE EXPIRATION OF THE TERM OF THE STATE TREASURER SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, THE STATE TREASURER SHALL BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE, FOR A TERM OF FOUR YEARS COTERMINOUS

WEDNESDAY, JANUARY 14, 2009

WITH THAT OF THE GOVERNOR, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE STATE TREASURER AND THE PROCEDURES BY WHICH THE STATE TREASURER MAY BE REMOVED FROM OFFICE.

Referred to Committee on Judiciary

H. 3278 -- Reps. T. R. Young, Allison, Parker, D. C. Smith, G. R. Smith, J. R. Smith and Stewart: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE COMPTROLLER GENERAL MAY BE REMOVED FROM OFFICE.

Referred to Committee on Judiciary

H. 3279 -- Reps. T. R. Young, D. C. Smith, G. R. Smith, J. R. Smith and Stewart: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SECRETARY OF STATE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SECRETARY OF STATE MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SECRETARY OF STATE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF

WEDNESDAY, JANUARY 14, 2009

THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SECRETARY OF STATE MAY BE REMOVED FROM OFFICE.

Referred to Committee on Judiciary

H. 3280 -- Reps. T. R. Young, Allison, Parker, D. C. Smith, G. R. Smith, J. R. Smith and Stewart: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SUPERINTENDENT OF EDUCATION MAY BE REMOVED FROM OFFICE.

Referred to Committee on Judiciary

H. 3281 -- Rep. Edge: A JOINT RESOLUTION DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES WHEN ADJUSTING ITS BUDGET IN RESPONSE TO REVENUE REDUCTIONS TO MAINTAIN FUNDING FOR HOSPICE SERVICES AT THE LEVEL IN PLACE ON DECEMBER 31, 2008.

On motion of Rep. EDGE, with unanimous consent, the Joint Resolution was ordered placed on the Calendar without reference.

H. 3282 -- Rep. Gunn: A BILL TO AMEND SECTION 59-29-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PHYSICAL EDUCATION IN SECONDARY SCHOOLS, SO AS TO

WEDNESDAY, JANUARY 14, 2009

PROVIDE THAT THE PHYSICAL EDUCATION COURSE TAUGHT IN SECONDARY SCHOOLS MUST OCCUR OVER SIX SEMESTERS.

Referred to Committee on Education and Public Works

H. 3283 -- Reps. Sandifer and Cooper: A BILL TO AMEND SECTION 12-45-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF THE COUNTY AUDITOR, ASSESSOR, AND TREASURER TO WAIVE OR REDUCE PROPERTY TAX PENALTIES IN CASES OF ERROR BY THE COUNTY, SO AS TO ALLOW THE COUNTY COUNCIL BY MAJORITY VOTE TO DIRECT THE COUNTY TREASURER TO WAIVE, DISMISS, OR REDUCE REAL AND PERSONAL PROPERTY TAX PENALTIES IF THE COUNCIL DETERMINES SUCH ACTION IS IN THE BEST INTEREST OF THE COUNTY.

On motion of Rep. SANDIFER, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

H. 3284 -- Rep. Umphlett: A BILL TO AMEND SECTION 12-6-1130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MODIFICATIONS OF TAXABLE INCOME FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX, SO AS TO ALLOW THE DEDUCTION OF ASSESSMENTS OTHER THAN PROPERTY TAXES IMPOSED ON REAL PROPERTY IN CONNECTION WITH PROVIDING SERVICES OR POTENTIAL SERVICES FOR THE BENEFIT OF THE PROPERTY OWNER, AND TO ALLOW THE DEDUCTION OF THE CHARGE FOR A PERMIT, LICENSE, SURCHARGE, OR OTHER FEE REQUIRED TO BE PAID TO A UNIT OF GOVERNMENT IN CONNECTION WITH IMPROVEMENTS TO REAL PROPERTY.

Referred to Committee on Ways and Means

H. 3285 -- Reps. Sellers, Bingham, Ballentine, Haley, J. E. Smith, Ott, Govan, Harrell, Bedingfield, Nanney and E. H. Pitts: A BILL TO AMEND SECTION 56-1-180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSE TO CERTAIN MINORS BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT THE RESTRICTIONS CONTAINED IN THIS DRIVER'S LICENSE MAY BE MODIFIED OR WAIVED BY THE DEPARTMENT IF THE RESTRICTED LICENSEE PROVES THAT

WEDNESDAY, JANUARY 14, 2009

THE RESTRICTIONS INTERFERE WITH TRAVEL BETWEEN THE LICENSEE'S HOME AND RELIGIOUS SPONSORED EVENTS.

Rep. SELLERS asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. OWENS objected.

Referred to Committee on Education and Public Works

HOUSE RESOLUTION

The following was introduced:

H. 3273 -- Reps. Huggins, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO CONGRATULATE MRS. LEONA CRAIG PHILLIPS, OF LEXINGTON COUNTY, ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY, AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND CONTINUED HEALTH AND HAPPINESS.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 3274 -- Reps. Gilliard, Alexander, Brantley, Clyburn, Cobb-Hunter, Forrester, Govan, Gunn, Hosey, Howard, Hutto, Jefferson,

[HJ]

WEDNESDAY, JANUARY 14, 2009

Kirsh, Mack, Miller, Sottile, Stavrinakis and Whipper: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO APPROPRIATE THE FUNDS NECESSARY TO ALLOW THE STATE OF SOUTH CAROLINA AND THE CITY OF CHARLESTON TO COMPLETE THE SPRING STREET/FISHBURNE STREET/UNITED STATES HIGHWAY 17 DRAINAGE BASIN IMPROVEMENTS PROJECT LOCATED IN THE CITY OF CHARLESTON, SOUTH CAROLINA.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

HOUSE RESOLUTION

The following was introduced:

H. 3286 -- Reps. Mitchell, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO CONGRATULATE JIMMY I. PALMER, REGION 4 ADMINISTRATOR OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

WEDNESDAY, JANUARY 14, 2009

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 258 -- Senator L. Martin: A CONCURRENT RESOLUTION TO COMMEMORATE THE FIFTIETH ANNIVERSARY OF THE FINAL MISSION OF PROJECT MANHIGH.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 259 -- Senator Jackson: A CONCURRENT RESOLUTION CONGRATULATING THE HONORABLE BERNICE G. SCOTT ON THE OCCASION OF HER RETIREMENT FROM THE RICHLAND COUNTY COUNCIL, THANKING HER FOR HER DEDICATION TO THE PEOPLE OF RICHLAND COUNTY, AND WISHING HER WELL IN ALL OF HER FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 260 -- Senator Elliott: A CONCURRENT RESOLUTION TO COMMEND THE HONORABLE WILLIAM D. "BILLY" WITHERSPOON, OF HORRY COUNTY, FOR HIS SIXTEEN YEARS OF FAITHFUL SERVICE AS A MEMBER OF THE HOUSE OF REPRESENTATIVES, AND TO WISH HIM LIFE'S BEST AND MUCH HAPPINESS IN THE YEARS TO COME.

Whereas, the Honorable William D. "Billy" Witherspoon, of Horry County, for sixteen years conscientiously and energetically represented the citizens of House District 105 in the House of Representatives of this great State; and

Whereas, now retired from the Clemson University Extension Service, of which he is a thirty-four-year veteran, Billy Witherspoon was born in 1935 to Hubert and Pearl Witherspoon, of Timmonsville.

WEDNESDAY, JANUARY 14, 2009

In 1956, he graduated from Clemson University with a bachelor's degree, at which time he began his career with the Clemson University Extension Service as a York County and then a Dillon County assistant extension agent. Moving from this second position to serve as Dillon County extension director in 1964, he later became Horry County extension director, a post in which he served from 1969 until his retirement in 1990; and

Whereas, at the call of his country, he also served in the United States Army Reserve for eleven years; and

Whereas, as a House member, Representative Witherspoon gave invaluable leadership and a lifetime's relevant knowledge to the Agriculture, Natural Resources & Environmental Affairs Committee, of which he was chairman. Previously, he had also served as Southern director, as well as president, of the National Association of County Agricultural Agents and president of the South Carolina Association of County Agricultural Agents, from which he received the Distinguished Service Award; and

Whereas, believing a man should be involved in his community, Billy Witherspoon is a member of the Conway Kiwanis Club and serves on the advisory board of Carolina First Bank. He is a past recipient of Conway Chamber of Commerce's Man of the Year and Distinguished Service awards and Clemson University Alumni Association's Distinguished Public Service Award. Beyond his community, he serves as vice chairman of the North Eastern Strategic Alliance, a regional economic-development organization benefiting a nine-county region in the northeast corner of South Carolina; and

Whereas, devoted husband of the former Linda Anne Johnson since 1958 and proud father of David, Craig, and Linda Anne, Representative Witherspoon counts as one of his chief blessings the strong support of his family. The Witherspoons are active members of Conway's First Baptist Church, another source of family unity and strength; and

Whereas, the General Assembly extends grateful thanks for their colleague's many years of tireless labor on behalf of the people of South Carolina, also wishing him much enjoyment in the different and

WEDNESDAY, JANUARY 14, 2009

more relaxing pursuits they trust he will make time for during the well-earned retirement on which he has now embarked. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the members of the South Carolina General Assembly, by this resolution, commend the Honorable William D. “Billy” Witherspoon, of Horry County, for his sixteen years of faithful service as a member of the House of Representatives, and wish him life’s best and much happiness in the years to come.

Be it further resolved that a copy of this resolution be presented to our distinguished colleague, the Honorable Billy Witherspoon.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

ROLL CALL

The roll call of the House of Representatives was taken resulting as follows:

Agnew	Alexander	Allen
Allison	Anthony	Bales
Ballentine	Bannister	Barfield
Battle	Bedingfield	Bingham
Bowen	Bowers	Brady
Branham	Brantley	G. A. Brown
H. B. Brown	R. L. Brown	Chalk
Clemmons	Clyburn	Cobb-Hunter
Cole	Cooper	Crawford
Daning	Delleney	Dillard
Duncan	Edge	Erickson
Forrester	Frye	Funderburk
Gambrell	Gilliard	Govan
Gullick	Gunn	Haley
Hamilton	Hardwick	Harrell
Harrison	Hart	Harvin
Hayes	Hearn	Herbkersman
Hiott	Hodges	Horne
Hosey	Howard	Huggins
Hutto	Jefferson	Jennings

WEDNESDAY, JANUARY 14, 2009

Kelly	Kennedy	King
Kirsh	Knight	Limehouse
Littlejohn	Loftis	Long
Lowe	Lucas	Mack
McEachern	McLeod	Merrill
Miller	Millwood	Mitchell
Moss	Nanney	J. H. Neal
J. M. Neal	Neilson	Ott
Owens	Parker	Pinson
E. H. Pitts	M. A. Pitts	Rice
Sandifer	Scott	Sellers
Simrill	Skelton	D. C. Smith
G. M. Smith	G. R. Smith	J. E. Smith
J. R. Smith	Sottile	Spires
Stavrinakis	Stewart	Stringer
Thompson	Toole	Umphlett
Vick	Weeks	Whitmire
Williams	Willis	Wylie
A. D. Young	T. R. Young	

STATEMENT OF ATTENDANCE

I came in after the roll call and was present for the Session on Wednesday, January 14.

Carl Anderson
Brian White

Anne Parks
Jackson "Seth" Whipper

Total Present--120

LEAVE OF ABSENCE

The SPEAKER granted Rep. CATO a leave of absence.

DOCTOR OF THE DAY

Announcement was made that Dr. John G. Black of West Columbia was the Doctor of the Day for the General Assembly.

SPECIAL PRESENTATION

Rep. HARVIN presented to the House the Scott's Branch High School Varsity Football Team, the 2008 Class A Champions, their coaches and other school officials.

WEDNESDAY, JANUARY 14, 2009

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee."

CO-SPONSOR ADDED

Bill Number: H. 3102
Date: ADD:
01/14/09 T. R. YOUNG

CO-SPONSOR ADDED

Bill Number: H. 3247
Date: ADD:
01/14/09 DUNCAN

CO-SPONSOR ADDED

Bill Number: H. 3181
Date: ADD:
01/14/09 CHALK

CO-SPONSOR ADDED

Bill Number: H. 3179
Date: ADD:
01/14/09 FUNDERBURK

CO-SPONSOR ADDED

Bill Number: H. 3037
Date: ADD:
01/14/09 FUNDERBURK

WEDNESDAY, JANUARY 14, 2009

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 MCLEOD

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 T. R. YOUNG

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 KENNEDY

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 VICK

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 EDGE

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 J. E. SMITH

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 HARRELL

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 A. D. YOUNG

WEDNESDAY, JANUARY 14, 2009

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 ALEXANDER

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 NEILSON

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 LUCAS

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 MERRILL

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 BARFIELD

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 BALES

CO-SPONSOR ADDED

Bill Number: H. 3148
Date: ADD:
01/14/09 ALLEN

ORDERED TO THIRD READING

The following Bills and Joint Resolution were taken up, read the second time, and ordered to a third reading:

H. 3108 -- Rep. Hosey: A BILL TO AMEND ACT 201 OF 1993,
RELATING TO PAYMENT FOR SERVICES RENDERED BY

WEDNESDAY, JANUARY 14, 2009

MEMBERS OF THE WILLISTON SCHOOL DISTRICT 29 BOARD OF TRUSTEES IN BARNWELL COUNTY, SO AS TO DELETE THE PROVISION THAT NO MORE THAN TWELVE SPECIAL MEETINGS MAY BE HELD IN ONE CALENDAR YEAR.

H. 3061 -- Rep. A.D. Young: A BILL TO DESIGNATE A CERTAIN PORTION OF DORCHESTER COUNTY AS COOSAW POINTE, AND TO REQUEST THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION TO ERECT SIGNS INDICATING THIS AREA DESIGNATED AS COOSAW POINTE.

H. 3232 -- Rep. Hosey: A JOINT RESOLUTION TO CHANGE THE CERTIFICATION DATE FOR THE RESULT OF A CAPITAL PROJECTS SALES AND USE TAX ACT REFERENDUM HELD AT THE TIME OF THE 2008 GENERAL ELECTION FROM NO LATER THAN NOVEMBER 30, 2008, TO NO LATER THAN DECEMBER 11, 2008.

REPORT OF STANDING COMMITTEE

Rep. WHITE, from the Committee on Rules, submitted a favorable report on:

H. 3138 -- Reps. Haley, Ballentine and Wylie: A HOUSE RESOLUTION TO AMEND RULE 5.3 OF THE RULES OF THE HOUSE OF REPRESENTATIVES, RELATING GENERAL AND SUPPLEMENTAL APPROPRIATIONS BILLS, SO AS TO REQUIRE THE ANNUAL GENERAL APPROPRIATIONS BILL TO BE CONSIDERED SECTION-BY-SECTION WITH A REQUIRED ROLL CALL VOTE ON THE QUESTION OF SECOND READING; TO AMEND RULE 5.19, RELATING TO THE LIMITATIONS ON MEMBERS SPEAKING ON THE MAIN QUESTION OF A BILL OR RESOLUTION, SO AS TO REQUIRE A ROLL CALL VOTE WHEN THE PENDING QUESTION IS THE ADOPTION OF A CONFERENCE OR FREE CONFERENCE REPORT; AND TO AMEND RULE 7.2, RELATING TO TAKING A ROLL CALL VOTE ON SECOND OR THIRD READING FOR CERTAIN SPECIFIC MATTERS, SO AS TO REQUIRE AN ELECTRONIC ROLL CALL VOTE MUST BE USED PURSUANT TO THE PROVISIONS OF RULE 7.3 AND THESE ROLL CALL VOTES MUST BE RECORDED BY NAME ON SECOND AND THIRD READING IN THE JOURNAL AND DELETE A PROCEDURE FOR

WEDNESDAY, JANUARY 14, 2009

RECORDING A MEMBER'S VOTE WHEN THAT MEMBER HAS NOT BEEN GRANTED LEAVE.

H. 3138--AMENDED AND ADOPTED

The following House Resolution was taken up:

H. 3138 -- Reps. Haley, Ballentine and Wylie: A HOUSE RESOLUTION TO AMEND RULE 5.3 OF THE RULES OF THE HOUSE OF REPRESENTATIVES, RELATING GENERAL AND SUPPLEMENTAL APPROPRIATIONS BILLS, SO AS TO REQUIRE THE ANNUAL GENERAL APPROPRIATIONS BILL TO BE CONSIDERED SECTION-BY-SECTION WITH A REQUIRED ROLL CALL VOTE ON THE QUESTION OF SECOND READING; TO AMEND RULE 5.19, RELATING TO THE LIMITATIONS ON MEMBERS SPEAKING ON THE MAIN QUESTION OF A BILL OR RESOLUTION, SO AS TO REQUIRE A ROLL CALL VOTE WHEN THE PENDING QUESTION IS THE ADOPTION OF A CONFERENCE OR FREE CONFERENCE REPORT; AND TO AMEND RULE 7.2, RELATING TO TAKING A ROLL CALL VOTE ON SECOND OR THIRD READING FOR CERTAIN SPECIFIC MATTERS, SO AS TO REQUIRE AN ELECTRONIC ROLL CALL VOTE MUST BE USED PURSUANT TO THE PROVISIONS OF RULE 7.3 AND THESE ROLL CALL VOTES MUST BE RECORDED BY NAME ON SECOND AND THIRD READING IN THE JOURNAL AND DELETE A PROCEDURE FOR RECORDING A MEMBER'S VOTE WHEN THAT MEMBER HAS NOT BEEN GRANTED LEAVE.

Be it resolved by the House of Representatives:

(1) That Rule 5.3 of the Rules of the House of Representatives be amended by adding:

“G. The Annual General Appropriations Bill must be considered section-by-section on second reading, and when the pending question is the adoption of an individual section, the yeas and nays must be taken by roll call and the votes on it must be recorded by name in the Journal.”

(2) That Rule 5.19c. of the Rules of the House of Representatives be amended to read:

[HJ]

WEDNESDAY, JANUARY 14, 2009

“c. The question of granting Free Conference Powers shall require an affirmative vote of two-thirds of the membership of the House and is not debatable. No member shall speak more than twice on the question of adoption of a Conference or Free Conference Report and not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. When the pending question is adoption of a Conference or Free Conference Report, the yeas and nays must be taken by roll call and the votes on it must be recorded by name in the Journal. Furthermore, the question of adoption of a Conference or Free Conference Report is subject to the provisions of Rule 8.6.”

(3) That Rule 7.2 of the Rules of the House of Representatives be amended to read:

“**7.2** The House of Representatives shall take a roll call vote on second ~~or~~ and third reading for the following matters, ~~and shall enter whereupon~~ the yeas and nays shall be ordered and shall be entered by name in the House Journal, the electronic roll call system shall be used, and the procedure provided for in Rule 7.3 shall be followed:

(1) adoption of a Joint Resolution proposing an amendment to the Constitution of South Carolina;

(2) adoption of legislation ratifying a proposed amendment to the Constitution of South Carolina;

(3) adoption of a Bill or Joint Resolution establishing a fee or tax, raising an existing fee or tax, or reducing an existing fee or tax;

(4) adoption of the Annual General Appropriations Bill and any individual section of it pursuant to Rule 5.3G;

(5) adoption of a state or congressional reapportionment plan;

(6) adoption of a Bill or Joint Resolution directly increasing or decreasing the salary, benefits, or retirement benefits of members of the General Assembly, elected officials of the Executive Branch, or members of the Judicial Branch; ~~and~~;

(7) adoption of a Bill or Joint Resolution amending the Ethics and Accountability Act or the Campaign Finance Act; and

(8) adoption of a Conference or Free Conference Report pursuant to Rule 5.19c.

Provided, the House of Representatives shall take a roll call vote and shall enter the yeas and nays in the House Journal for the following questions:

WEDNESDAY, JANUARY 14, 2009

(1) a question for which the Constitution of South Carolina requires the yeas and nays to be recorded;

(2) an election by the General Assembly or the House of Representatives except where the election is declared by unanimous consent to be by declaration;

(3) adoption of an amendment to the Annual General Appropriations Bill where the amendment directly effects the raising or spending of revenue in the amount of ten thousand dollars or more;

(4) a question of overriding or sustaining an Act returned by the Governor with objections;

and;

(5) a question for which ten members of the House request a roll call vote.

~~Provided, on a question determined by a voice vote a member who has not been granted leave shall be considered to have voted aye. However, a member, prior to the House adjourning that day, may inform the Clerk that he desires his vote to be recorded as nay, and the Clerk shall record such 'nay' vote in the House Journal. Provided, further, if such nay votes constitute a majority of the members present that day, the House shall on the next statewide legislative day reconsider the voice vote pursuant to item 14 of Rule 6.3 and a roll call vote shall be required."~~

Be it resolved by the House of Representatives:

(1) That Rule 5.3 of the Rules of the House of Representatives be amended by adding:

"G. The Annual General Appropriations Bill must be considered section-by-section on second reading, and when the pending question is the adoption of an individual section, the yeas and nays must be taken by roll call and the votes on it must be recorded by name in the Journal except when the House agrees to a section by unanimous consent."

(2) That Rule 5.19c. of the Rules of the House of Representatives be amended to read:

"c. The question of granting Free Conference Powers shall require an affirmative vote of two-thirds of the membership of the House and is not debatable. No member shall speak more than twice on the question of adoption of a Conference or Free Conference Report and

WEDNESDAY, JANUARY 14, 2009

not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. When the pending question is adoption of a Conference or Free Conference Report, the yeas and nays must be taken by roll call and the votes on it must be recorded by name in the Journal. Furthermore, the question of adoption of a Conference or Free Conference Report is subject to the provisions of Rule 8.6.”

(3) That Rule 7.2 of the Rules of the House of Representatives be amended to read:

“**7.2** The House of Representatives shall take a roll call vote on second ~~or~~ and on third reading when an amendment has been made on third reading for the following matters, ~~and shall enter whereupon~~ the yeas and nays shall be ordered and shall be entered by name in the House Journal, the electronic roll call system shall be used, and the procedure provided for in Rule 7.3 shall be followed:

(1) adoption of a Joint Resolution proposing an amendment to the Constitution of South Carolina;

(2) adoption of legislation ratifying a proposed amendment to the Constitution of South Carolina;

(3) adoption of a Bill or Joint Resolution establishing a fee or tax, raising an existing fee or tax, or reducing an existing fee or tax;

(4) adoption of the Annual General Appropriations Bill and any individual section of it pursuant to Rule 5.3G;

(5) adoption of a state or congressional reapportionment plan;

(6) adoption of a Bill or Joint Resolution directly increasing or decreasing the salary, benefits, or retirement benefits of members of the General Assembly, elected officials of the Executive Branch, or members of the Judicial Branch; ~~and,~~

(7) adoption of a Bill or Joint Resolution amending the Ethics and Accountability Act or the Campaign Finance Act; and

(8) adoption of a Conference or Free Conference Report pursuant to Rule 5.19c.

Provided, the House of Representatives shall take a roll call vote and shall enter the yeas and nays in the House Journal for the following questions:

(1) a question for which the Constitution of South Carolina requires the yeas and nays to be recorded;

WEDNESDAY, JANUARY 14, 2009

(2) an election by the General Assembly or the House of Representatives except where the election is declared by unanimous consent to be by declaration;

(3) adoption of an amendment to the Annual General Appropriations Bill where the amendment directly effects the raising or spending of revenue in the amount of ten thousand dollars or more;

(4) a question of overriding or sustaining an Act returned by the Governor with objections;

and;

(5) a question for which ten members of the House request a roll call vote.

~~Provided, on a question determined by a voice vote a member who has not been granted leave shall be considered to have voted aye. However, a member, prior to the House adjourning that day, may inform the Clerk that he desires his vote to be recorded as nay, and the Clerk shall record such 'nay' vote in the House Journal. Provided, further, if such nay votes constitute a majority of the members present that day, the House shall on the next statewide legislative day reconsider the voice vote pursuant to item 14 of Rule 6.3 and a roll call vote shall be required.~~

(6) a question of concurrence, nonconcurrence, or adoption of amendments to Bills or Joint resolutions returned to the House with amendments by the Senate."

—XX—

Reps. BINGHAM and HALEY proposed the following Amendment No. 1 (COUNCIL\GJK\20054SD09), which was adopted:

Amend the resolution, as and if amended, in Rule 5.3, as contained in item (1) by adding after /Journal/ on line 42, page 1 /except when the House agrees to a section by unanimous consent/;

Amend the resolution further, as and if amended, in Rule 7.2, as contained in item (3), by striking /third reading/ on line 23, page 2, and inserting / on third reading when an amendment has been made on third reading /

Amend the resolution further, as and if amended, in Rule 7.2 as contained in item (3) by adding a new subitem (6) immediately after subitem (5) on line 20, page 3, to read:

/(6) a question of concurrence, nonconcurrence, or adoption of amendments to bills or joint resolutions returned to the House with amendments by the Senate. /

WEDNESDAY, JANUARY 14, 2009

Renumber sections to conform.
Amend title to conform.

Rep. BINGHAM explained the amendment.
The amendment was then adopted.

Rep. HALEY spoke in favor of the Resolution.
Rep. WHITE spoke in favor of the Resolution.

The question then recurred to the adoption of the Resolution, as amended.

Rep. BALLENTINE demanded the yeas and nays which were taken,
resulting as follows:

Yeas 115; Nays 0

Those who voted in the affirmative are:

Agnew	Alexander	Allen
Allison	Anthony	Bales
Ballentine	Bannister	Barfield
Battle	Bedingfield	Bingham
Bowen	Brady	Branham
Brantley	G. A. Brown	H. B. Brown
R. L. Brown	Chalk	Clemmons
Clyburn	Cobb-Hunter	Cole
Cooper	Crawford	Daning
Delleney	Dillard	Duncan
Edge	Erickson	Forrester
Frye	Funderburk	Gambrell
Gilliard	Govan	Gullick
Gunn	Haley	Hamilton
Hardwick	Harrell	Harrison
Harvin	Hayes	Hearn
Herbkersman	Hiott	Hodges
Horne	Hosey	Howard
Huggins	Hutto	Jefferson
Jennings	Kelly	Kennedy
King	Kirsh	Knight
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Mack	McEachern	McLeod

WEDNESDAY, JANUARY 14, 2009

Merrill	Miller	Millwood
Mitchell	Moss	Nanney
J. H. Neal	J. M. Neal	Neilson
Ott	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Rice	Sandifer	Scott
Sellers	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. E. Smith	J. R. Smith	Sottile
Spires	Stavrinakis	Stewart
Stringer	Thompson	Toole
Umphlett	Vick	Weeks
White	Whitmire	Williams
Willis	Wylie	A. D. Young
T. R. Young		

Total--115

Those who voted in the negative are:

Total--0

So, the House Resolution, as amended, was adopted.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 3214 -- Rep. Harrell: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, MARSHALL CLEMENT (MARK) SANFORD, JR., GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 14, 2009, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

H. 3219 -- Rep. Gunn: A CONCURRENT RESOLUTION TO RECOGNIZE AND CONGRATULATE PRESIDENT-ELECT BARACK OBAMA ON HIS HISTORY-MAKING VICTORY IN THE 2008 UNITED STATES PRESIDENTIAL ELECTION AND TO WISH HIM WELL AS HE BEGINS HIS TERM OF OFFICE.

WEDNESDAY, JANUARY 14, 2009

Rep. HIOTT moved that the House recede until 6:30 p.m., which was agreed to.

THE HOUSE RESUMES

At 6:30 p.m. the House resumed, the SPEAKER in the Chair.

HOUSE STANDS AT EASE

The House stood at ease, subject to the call of the Chair.

THE HOUSE RESUMES

At 6:58 p.m. the House resumed, the SPEAKER in the Chair.

JOINT ASSEMBLY

At 7:00 p.m. the Senate appeared in the Hall of the House. The President of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

H. 3214 -- Rep. Harrell: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, MARSHALL CLEMENT (MARK) SANFORD, JR., GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 14, 2009, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

Governor Marshall C. Sanford, Jr., and distinguished party were escorted to the rostrum by Senators Peeler, Knotts, Nicholson, Scott and Setzler and Representatives BEDINGFIELD, HORNE, LOWE, DILLARD and BALES. The President of the Senate introduced Governor Sanford who then addressed the Joint Assembly as follows:

2009 STATE OF THE STATE ADDRESS

Governor Marshall C. Sanford, Jr.

Mr. Speaker, Mr. President, Ladies and Gentlemen of the General Assembly, Constitutional Officers and my fellow South Carolinians:

It's an honor to be with you tonight to deliver my view on the state of our State, but as I've done in the past, I'd first ask that we pay tribute to the South Carolinians who died fighting in the Middle East and Afghanistan over the last year. Their deaths are a reminder to everyone of us of how short and fragile life can be – and beg of us the larger

WEDNESDAY, JANUARY 14, 2009

question of what are we doing to both honor their sacrifice, and to live the gift of life each of us has been granted.

Their service is also a reminder to all of us, particularly in these trying economic times, of how important it is that we look for ways to serve others – whether in the local church, the area soup kitchen, the food bank, or through national organizations like the Red Cross or Salvation Army. Many families across our State and nation are indeed hurting in these economic times, so there is a lot of need out there – and every one of us can follow these soldiers' examples in looking for ways to serve.

Finally, the fact that each of them died in service to their country is again a reminder that freedom isn't free. This year's list of heroes is as follows:

SGT Shawn Hill
SGT David Leimbach
MSG Danny Maybin
SSG Matthew Taylor
SSG Ronald Phillips, Jr.
Captain Richard Cliff, Jr.

While I'm at it I want to thank a few other people as well:

First, I'd like to recognize a state worker who is representative of so many who do their work without recognition. I'm a frequent critic of South Carolina government's growth and structure, but Al James – a park ranger for Parks, Recreation and Tourism – is an example of many who go beyond the call of duty in their work. In his case, this past summer he rescued kayakers on the Catawba River and he put himself in harm's way to do so. Al, please stand up and be recognized.

We've also been joined tonight by Carter and McCaleb White. They're both reminders of the ways in which every one of us can make a difference in South Carolina if we so choose. We don't have to wait for a government program – we can just do it – as they did. Tragically both of their grandfathers were diagnosed with cancer and as these boys visited the hospital and watched the monotony that came with hours of chemotherapy – they decided to do something about it. They put together a gift drive and collected everything from DVD players to stress balls and puzzles to help those afflicted with cancer in the waits for, during and after treatment. Hundreds of patients have now been helped, and so please give these young hometown heroes a round of

WEDNESDAY, JANUARY 14, 2009

applause for both their initiative and the difference they're making in others' lives.

Given the economic times that we live in, I'd also like to single out one of the First Lady's many efforts. When we got here the Lace House sat empty and the Waring House was kept open and used by the Governor for only a few weeks out of the year. Jenny and her team ended this practice of allowing these properties to sit and raised private money to renovate the Lace House and then began a rental program. These efforts were duplicated at the Waring House and now both properties are rented and hundreds of thousands of dollars have been generated to go to their maintenance rather than have all these costs borne by the taxpayer.

I tell that story because I think it's an illustration of how every one of us tied to government can follow the lead of working South Carolinians in being creative in finding ways to do more with less. Whether in Dillon or Grey Court or Yemassee, doing more with less is what families across our State are indeed doing everyday – and those of us who work in government should find ways to honor these daily decisions being made by the people who pay for government.

With all that being said – the state of our State is that we have both enormous challenges and opportunities before us. They will necessitate us doing what was suggested in a recent email that came my way that said simply, "We have to be doing things we should have been doing a long time ago." My question to every one of you is indeed can we make this the year that we make the changes that we should have begun long ago. We can't do anything about the "long ago," but we can do something about bringing change this year.

In Washington it was that spirit that in part gave us a new administration. We all saw a campaign based on the concepts of change and the resounding theme of "yes, we can." As an American I would wish the new administration success in deliberately working through many of the challenges facing this country, but as a South Carolinian I would simply ask that we take up the same mantle of "yes, yes we can" in overcoming so many of our State's challenges.

Can we commit to the notion of "yes, we can" on just a couple of things this year key to bettering the lives of so many here in South Carolina? Because after all it was this thinking of "yes, we can" that led to the shattering of a glass ceiling that has hung over our nation for the last 200 years. Given this example alone, can we break the glass ceiling of an outdated governmental structure that has hurt the people of our State for more than 100 years?

WEDNESDAY, JANUARY 14, 2009

I think that with the right approach there can be opportunity in the economic crisis before our State and country. We face economic conditions in our country, and by extension our State, the likes of which we have not seen since the 1930's. As most of you know, I have believed for a very long time that this day would come, and as a consequence I have fought with many in your leadership on spending.

I didn't have a crystal ball on economic trends; I simply heard from a lot of South Carolinians on common sense principles that they believed ought to apply to government. Trees don't grow to the sky, winter follows summer and accordingly cattlemen from Pickens to Saluda put hay in the barn to be ready for winter's arrival. Even the Bible talks about the Pharaoh's dream and seven fat cows coming out of the Nile followed by seven skinny cows – so the notion of ups and downs, and of business and economic cycles, represent thinking that has been around for a very long time. Unfortunately as a nation, and as a state government, this idea has been forgotten by too many for too long.

Debt has grown three times faster than the national economy over the last fifteen years. Its dangers are something I described in detail at this very State of the State four years ago, yet this proliferation of debt has occurred in government, in business and within households across the country. The unsustainable march we were on has now come to an end, and so the bottom line is that as a nation, and again by extension as a State, we will face a tremendous deleveraging. There is no way to avoid this reality.

Other than possibly doing very harmful things to every dollar held by South Carolinians across this State, and most certainly leaving a frightening invisible federal mortgage to every taxpayer – the bailouts in the end will not change this and will do nothing to better our economy over the long run. I think as policymakers it's exceedingly important that we really comprehend that, because what's happening in the national economy is obviously going to very much impact us here in South Carolina.

In a typical recession caused by an excess in production or inventory, the tact that federal policymakers are taking with stimulus can work because the objective is to simply get the consumer buying again. We face something very different today after a 20 year run-up in spending and debt. This is a balance sheet-driven slowdown, and in these cases when people or businesses get stimulus monies they don't rush out to spend it – they work quite logically to get their balance sheets right. That's why the stimulus checks of last spring from the federal government were not spent and instead devoted to paying down debt.

WEDNESDAY, JANUARY 14, 2009

It's also why a lot of the financial institutions have not turned around and lent money as it was received but have instead worked to better the balance sheets that they know have many more non-performing loans still to come.

Where does all this leave us? With the simple truth that anybody who says that this economic slowdown will be short-lived I don't believe is telling the truth. I also believe that anyone who suggests that it won't get a whole lot worse before it gets better has missed how high the forest of debt and spending has indeed grown over these 20 years.

The differences between my views and the views of many in this room on matters involving budgets and spending have been widely documented and are well known. They need not be reviewed here tonight, and there is no satisfaction in vindication on budget matters when the people of our State are suffering under the difficult economic times we long believed would come. Though people will be hurt, there's nothing we can now do about what didn't happen in the way of fiscal restraint in Columbia, and so we must look forward. Our differences are in the past, and from my perspective, bygones are bygones – and all that matters is what we do from this day forward.

We've talked for six years about bringing change to Columbia in the way that decisions are made and in the outcomes that impact the lives of so many in our State – and therefore can change begin today? It is my hope that these jolting economic times force us to move South Carolina state government into the twenty-first century – and if they indeed force the change long overdue – they will prove to be a blessing many years down the road.

In some ways change has already begun because in last year's campaign, the winds of change swept across our country. Those winds will soon be felt in Washington, but South Carolina was not bypassed, because in this Capitol tonight, I am pleased by all the new faces I see. Eighteen percent of the House and 20 percent of the members of the Senate are new this year – nearly 1/5 in each body. My message to all the newly-elected members of the General Assembly, whether you're Republican or Democrat, is simply this: stay true to what you said when you were talking directly to the folks back home.

Your obligation is not to me, or to your leadership, or to your political party – it is to the people who sent you here and to the ideas and principles that propelled your candidacy. You were sent here to make a difference and to fight for what you ran on as you stood before the people of your district – and in this light I look forward to working with all of you on achieving your goals.

WEDNESDAY, JANUARY 14, 2009

It was in this spirit that this administration and the General Assembly have been able to come together over the years as we cut the top marginal income tax rate for the first time in state history and passed the state's largest ever recurring tax cut. We came together as we passed comprehensive tort reform and workers' compensation reform, and those changes are in part evident in the more than \$4 billion in capital investment brought to our State last year, and the 132,000 more people working than in 2003 – which ranks 16th in the nation in employment growth in this time frame.

We've also taken steps toward improving government structure with the Department of Motor Vehicles and the Department of Transportation. I want to particularly thank each member for your work last year in passing DUI reform, immigration reform, and the small business health care bill. We had other successes that ranged from the Jasper Port bill, that will ultimately bring to fruition hopes and dreams for better economic opportunity to finally ending the so-called Competitive Grants program. As a result of DUI reform the quality of life for people in our State will be made better. There is more that can be done on this and many other fronts, but it's a reminder to all of us that where there is a will there is always a way, and I'm here to humbly ask for your will and work on just five areas this year.

First, given the economic times in which we live, and given the global competition that we're in for jobs, capital and way of life, we need to do things each year to make our business climate more competitive.

At the top of the list on this front is the tax reform proposal that we rolled out last month. It was premised on not waiting on Washington, D.C., for an economic stimulus package or a bailout, and instead focusing on the things that we can do here in South Carolina to grow our economy - and the opportunities that will come with it.

People are hurting in our State, and they rightly expect action to be taken. But what should we do? We can sit around and wait for the next bailout from Washington that piles ever more debt on our children and forces South Carolina taxpayers to pay for wasteful state government spending in California and New York. That, as you know, is not what I think we should be doing to better our economy.

Instead, we've proposed doing what anyone should do during financially hard times, namely, be very careful on the spending side, and try to improve our State's economic climate on the tax side. Lasting jobs and economic growth will never come from a government bailout. They will come from a tax and regulatory structure that

WEDNESDAY, JANUARY 14, 2009

rewards hard work, savings and enterprise – and in this vein we ought to be as competitive as possible in the global arena in attracting capital for the way that investment ultimately raises productivity and, in turn, people's wages and standard of living.

This tax proposal is also premised on the belief that government shouldn't be picking the winners and losers in the business marketplace and, therefore, government should treat businesses the same.

Too often government will hand incentives to the new business in town, but offer no help to the business producing the exact same product while that business has been paying taxes for years here in the State. Too often if you're a big business you get the red carpet rolled out in incentives, but if you're a little business you get nothing.

This was the case in the special legislation that offered \$9 million for Cabela's to come to South Carolina. I'm a hunter and would love for them to expand in our State, I just don't believe that little businesses who have been here for years selling the same kinds of things should be forced to subsidize them coming here. As much as that legislation would add one store, it would wipe out many more small ones that have been here for years. It turns out there are a fair number of special exemptions that have long outlived their usefulness, and our proposal takes what we spend on those incentives and redeploys these monies to phasing out the corporate income tax.

The second leg of what we have proposed to stimulate the economy is a flat tax of 3.65 percent in one's individual income tax return. Every South Carolinian would have the chance each year to pick between paying our current seven percent income tax rate, or forgoing their exemptions and paying a flat 3.65 percent. A report by the Atlanta Federal Reserve Board said that "relative marginal tax rates have a statistically significant negative relationship with relative state growth." In everyday English that means high income tax rates slow the growth of people's paychecks and low rates raise them.

To pay for this part of the tax cut, we would raise our lowest in the nation cigarette tax from seven cents to 37 cents. We would concurrently raise our State's tipping fee on garbage because last year 30 percent of all the garbage buried in South Carolina came from other states. There is something wrong with mega dumps being proposed in Cherokee, Williamsburg, Marlboro and other rural counties across our State to handle garbage from places like New York and New Jersey.

Not all taxes are the same, and in taxes and fees associated with cigarettes and garbage, we are lowest and low, when measured against

WEDNESDAY, JANUARY 14, 2009

other states. There is a real cost in health care and the look and feel of our State that goes with not changing anything.

The net effect of these changes is that South Carolina's ranking on the state business tax climate index would be that we would move from 25th to the 6th most competitive state in the country. We'll never really outpace other states in growing our economy if we're but average in our tax policy – but I think we would, if we were 6th in the country. I ask for your help in passing this jobs-creating proposal.

The second change we think essential to bettering the lives of South Carolinians is restructuring our government. Government in South Carolina costs 140 percent the national average, and given the budget challenges our State faces we can simply no longer afford our inefficient, unaccountable government structure. It represents the ultimate test in whether or not we are willing to meet the challenge represented in the email that suggested that “We have to be doing things we should have been doing a long time ago”.

I have come to fully understand how difficult full-scale change is in our State, and therefore I ask for just three steps toward the promised land of getting us out of the trap that locks us into doing things the way that they've always been done in state government and yet expecting a different result.

Last year, a Department of Administration bill passed the House unanimously before stalling in the Senate. Representatives Jim Harrison, Garry Smith and Laurie Funderburk reintroduced this measure on the House side this year, and Senators Larry Martin, Chip Campsen and Vincent Sheheen did so in the Senate. We believe passage of that bill should not only be one of the first orders of business for both the House and Senate this year, but I am thankful that representatives like James Smith have personally offered their help in the process.

I am also encouraged to see that the business and environmental communities are now behind DHEC restructuring. This change should happen this year.

Another small step toward a restructured South Carolina government lies in simply letting the people of South Carolina decide on whether a host of constitutional officers should instead be appointed rather than elected. To me it makes no sense to have a governor elected by the people, and yet have his first check on delivering promises made by, not the legislative or judicial branches of government – but the Lieutenant Governor, who in our State could be of opposite political persuasion and party. Would it make any sense to have the president

WEDNESDAY, JANUARY 14, 2009

and vice president in Washington elected with opposing agendas and wanting to go in opposition directions? I don't believe it would, and I think the people of South Carolina deserve the right to vote on this.

Finally, if there was ever a year to eliminate the costs that come with two agencies performing overlapping functions, this would be the year. The proposals we laid out in our budget in consolidating health services alone represents \$15 million in savings that could go from the administration of health care to actual health care for South Carolinians. Ultimately, each of these proposals is about better coordinating services because, for instance, in the example of health – a person can never receive good health care from a system that simply looks at the parts, rather than the whole, of one's health care picture.

The third area where “we have to be doing things we should have been doing a long time ago” lies in more fully opening up the workings of our state government so that our citizens can better understand not only what happened when a change is made – but why it happened.

That's why it is so important that we act on the issue of transparency that has been brought to the attention of South Carolinians by the leadership of Reps. Nikki Haley and Nathan Ballentine. I know that Senator Harvey Peeler and others have committed to pushing for similar reforms on the Senate side. This change is essential because leaving things as they are would perpetuate the mistaken notion that those in any political body don't need to explain all their votes and that weighty decisions on matters of public policy can be made without permanent record.

The scab that covered this issue was brought to light last year when there was a COLA bill up for a vote in this chamber. Attached to it was a legislative pay raise that passed on a voice vote. To this day we still don't know who voted in favor or against this proposal, and all this illustrates how awkward and unaccountable a legislative system can be without more in the way of recorded votes.

I think all this boils down to a simple concept – and that is that if an idea is important enough to be voted on by the General Assembly of South Carolina, it's an idea important enough to be recorded.

That concept is rooted in the principle of accountability. We all need it. If no one ever knew whether or not you in fact showed up for work, wouldn't you on occasion find days to do something else? The same holds true in the political process. In concrete terms people need to know whether you voted for or against an idea because only then can the conversation begin on its merits, demerits and how change might be made.

WEDNESDAY, JANUARY 14, 2009

We're also joining great groups like the South Carolina Policy Council in asking for legislation that would force real earmark disclosure, local government spending disclosure, a ban on taxpayer-funded lobbyists, public officials' income disclosure, and expanded open records laws. Some of these ideas we have talked about for a while as Rep. Jim Merrill has long been an advocate of ending the practice of some in government of taking public money to lobby for yet more public money.

Other ideas are new in our conversation like public officials' income disclosure, but come as a result of seeing some of the inner workings of our state government. Sadly, investigative journalists have uncovered several instances wherein a member of the General Assembly benefited from the very entity that they procured public funding for. It shouldn't take an investigation to find this; it ought to be openly disclosed. In other cases some members fought against a concept like workers' comp reform, but those of us who were advocates of this change never could connect all of the dots between those benefiting from the current system and those who fought against reform.

This is not to say that these two descriptions fit the character or conduct of most in this chamber. Transparency is a way of ending any suspicion that would wrongly cloud or taint the motives of so many here who simply work to advance ideas that they believe represent the will of their constituents. It really is nothing more than good housekeeping, and it worked well when I myself was a legislator, as each member of Congress has to disclose all their income sources. Members of the General Assembly should do the same.

If there has been any lesson learned as a consequence of the financial crisis that sparked this fall in the financial markets, it is that disclosure is vital. The problems of Freddie and Fannie, of credit default swaps and derivatives would not have come our way if there had been adequate financial disclosure – and we can avoid problems within our political system with greater disclosure and transparency.

The fourth key to making our State more competitive and indeed doing things we should have been doing for a long time lies in instituting spending limits. They are vital. In recently talking about the California budget, Governor Arnold Schwarzenegger said, "I say enough is enough, California has been put through this roller coaster ride too many times." We all know what he's talking about because here in South Carolina every few years we overspend when times are good and then cut past muscle and right into bone when times aren't so good.

WEDNESDAY, JANUARY 14, 2009

This leads to starts and stops in government programs that don't serve well those who most need help from government, and it's a very expensive way of doing business for the taxpayer. As South Carolina government spending grew by about 40 percent over the previous four years, it didn't take an economist to know that it was not sustainable. Spending limits simply keep government from getting ahead of itself in the good times and force policymakers to follow the lead of cattlemen across our State as each year they put hay in the barn over the summer to be prepared for winter. We should do no less in government, and if we had held government's growth since this administration started to population plus inflation – we could have had more than a billion dollars available to meet this year's economic winter.

Measures to do this have passed the House numerous times, and a similar measure sponsored by Senator McConnell was narrowly defeated in the Senate just this past year. I would ask for your passage of a bill that limits government's growth to population plus inflation and then allocates everything beyond this to first paying down unfunded liabilities and when this is done to then either set money aside for a rainy day or return it to the taxpayer.

In this same vein, last year we passed Representative Kirsh's bill to address the more than \$20 billion in unfunded retiree and health care promises owed by South Carolina government. It created a vehicle to fund these promises, and it's incredibly important we now begin to do so because we are headed to a disaster on the retirement side given the unrealistically optimistic return projections. What is happening here I believe is near criminal. In his 2007 letter to shareholders, Warren Buffett wrote about pension managers projections of eight percent returns, "If they're wrong, as I believe they are, the chickens won't come home to roost until long after they retire. Public pension funding is woefully inadequate. Because the fuse on this time bomb is long, politicians flinch from inflicting pain, given that problems will only become apparent long after these officials have departed. Promises involving generous cost-of-living adjustments are easy for these officials to make – those promises will be anything but easy to keep."

Finally on spending, let's do as Florida and other states have done in prohibiting one-time money from going to start, or fund, recurring programs.

Each of these things is a step away from a government of fits and starts and toward more sustainable spending and thereby a more competitive economy. If anything has been proven in states across our country it is that there is no "Terminator" when it comes to stopping

WEDNESDAY, JANUARY 14, 2009

government spending. With many allies in this chamber on spending restraint, I myself have at times felt like more of a speed bump in the fight to slow government's growth, and it underscores how we cannot get to sustainable spending without structural change.

The fifth step that I believe we can take this year to better life and opportunity for South Carolinians rests in bettering our educational system. Everyone understands well how education is a lynchpin to success in today's world. What we find less agreement on is how to get there. Too often people simply consider money as the key to bettering education, though one look at educational performances around the world proves how wrong this notion is. Accordingly, I think it's vital we look for ways to ensure our educational system has plenty of choices that reflect the individual diversity found in the more than 700,000 students in our State. We also need to find ways to better spend monies currently in the system. That's what competition does, unlike monopolies that are never good for the consumer – much less innovation and the performance that can come with it.

Accordingly our four goals on this front are as follows:

One, let's enact education funding that indeed follows the child. I don't think it makes a lot of sense to have a large part of one's opportunities in life defined by the geography of where you were born in our State. Whether a student moves across town, or from the foothills to the coast, it makes sense for the money to follow the child.

Two, let's pass a Charter School Parity bill. Two years ago we passed a groundbreaking charter school bill that allowed for more choices within public education. Too often that choice has proven to be "in name only" as local school districts fight to keep those charter schools from getting the funding they are due. Rather than penalizing the efforts of concerned teachers and parents, we should be rewarding it – and for me that's what a parity bill is all about.

Three, if we limit choice to simply a monopoly of public schools we will never have real choice. For whatever the reason, if a school isn't working for you and your child I believe, along with so many across this State, that you ought to be given the option to go to the place that works best for you. No one loves their children more than the parents and, accordingly, the notion of two systems of school choice to me is morally wrong. That's what we have now. If you can afford the right house in the right neighborhood the choice is yours for either great public or private education for your children. If you cannot, you are mandated to attend a certain government school in your district. If you've got political connections or an exceptionally bright child on

WEDNESDAY, JANUARY 14, 2009

occasion you can change this, but this is the reality for the overwhelming bulk of children within the system, and we can never thrive educationally until it changes.

This central flaw impacts an amazing number of things even outside of education – whether that’s rural economic development, or the unrelenting increases to property tax bills in too many areas across our State.

Finally let’s link the price of higher education to its cost. By capping its increase we would force coordination – which is key to preventing higher education from continuing to spiral out of the reach of working families.

There are certainly other things that can be done in the arena of education that range from consolidating school districts to the building of true neighborhood schools, but the four just-mentioned points represent this administration’s major goals on education for the year.

There are many other things that we could do this year to better people’s lives in our State, but I have attempted to keep my list of goals for this legislative session short and specific. Inasmuch as there is time for *other* priorities I would encourage your work in several areas.

In bettering people’s employment opportunities, it’s vital we update the Employment Security Commission. The forthcoming audit I believe will show significant deficiencies that need to be addressed so that we better marry the unemployed with job opportunities. To me it makes no sense to have an unemployment rate that is higher than we would like - while at the same time there were more than 50,000 unfilled job postings across the State.

On health care, I think it’s vital that businesses and individuals alike have the opportunity to buy scaled-down health plans without mandates. Mandates price health care out of the reach of many working families. In essence they dictate that people buy a Cadillac when all they need is a Chevy.

On quality of life, I don’t believe we will see many chances better than today to be setting aside open space in a South Carolina that will increasingly see less of it. Now is not only the time to take advantage of the buying opportunities that exist, but if nothing is done in the budget this year, our State will not be honoring contracts currently in place on open space. For these reasons, we redirected some money in the Executive Branch budget on a temporary basis for open space, and we ask you do the same.

I had better stop as I’m starting to go down a much longer list and my goal as mentioned earlier is to keep this year’s wish list of legislative

WEDNESDAY, JANUARY 14, 2009

accomplishments indeed short and to the point. So, let me instead end with this quick story.

Our boys have long loved movies and particularly liked the movie *Remember the Titans*, which came out a few years ago. It's the true story of two coaches, a sports team and the then racially charged T. C. Williams High School of 1971 in Alexandria, Virginia. Integration of the school in earnest had just taken place as several schools had been folded into one – this presented a new challenge for coaches and players in figuring a way to come together despite their many differences and play as one team. Unite they did though. Despite what critics had considered impossible – they so ably moved past their differences and found ways to work together – that they went 13-0 for the season, and ultimately won the State Championship.

The consequences of our actions in this legislative year are far greater than the outcome of a football game, and so my hope and prayer is that we will find ways as Republicans and Democrats, as representatives from the Coast, Midlands, and Upstate – as South Carolinians – to come together to better the lives of people in our State.

Thank you and good night.

JOINT ASSEMBLY RECEDES

The purposes of the Joint Assembly having been accomplished, the PRESIDENT announced that under the terms of the Concurrent Resolution the Joint Assembly would recede from business.

The Senate accordingly retired to its Chamber.

THE HOUSE RESUMES

At 7:54 p.m. the House resumed, the SPEAKER in the Chair.

Rep. PARKER moved that the House do now adjourn, which was agreed to.

ADJOURNMENT

At 7:56 p.m. the House, in accordance with the motion of Rep. ANTHONY, adjourned in memory of Representative Olin Phillips of Gaffney, to meet at 10:00 a.m. tomorrow.

WEDNESDAY, JANUARY 14, 2009

H. 3037	29	H. 3267	16
H. 3061	32	H. 3268	16
H. 3102	29	H. 3269	16
H. 3108	31	H. 3270	17
H. 3138	32, 33	H. 3271	17
H. 3148	30, 31	H. 3272	17
H. 3162	10	H. 3273	23
H. 3179	29	H. 3274	23
H. 3181	29	H. 3275	18
H. 3214	39, 40	H. 3276	19
H. 3219	39	H. 3277	19
H. 3232	32	H. 3278	20
H. 3247	29	H. 3279	20
H. 3256	12	H. 3280	21
H. 3257	12	H. 3281	21
H. 3258	13	H. 3282	21
H. 3259	13	H. 3283	22
H. 3260	13	H. 3284	22
H. 3261	14	H. 3285	22
H. 3262	14	H. 3286	24
H. 3263	15		
H. 3264	15	S. 258	25
H. 3265	15	S. 259	25
H. 3266	15	S. 260	25